

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.4179 of 2006

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21st March 2006

Between:

1. M/s.Hotel Sree Abhilasha rep.by its Managing Partner Sri M.Purushotham Reddy.

And one other.

...PETITIONERS

AND

1. Municipal Corporation of Hyderabad, rep.by its Commissioner, having its office at Lower Tank Bund, Hyderabad.

And two others.

...RESPONDENTS

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO. 4179 of 2006

ORDER:

The first petitioner is a hotel and the second petitioner is a Conference Hall situated at RTC Cross Roads, Hyderabad. It is stated that they have obtained a trade license for running restaurant for the first petitioner and for running conference hall for the second petitioner. The said trade license has been cancelled by the impugned proceedings No.14/HS/H5/C3/MCH/2006 dated 05.02.2006, which reads as follows:

It has been reported vide letter cited that the analysis report received from the Center for Cellular & Molecular Biology have confirmed the presence of beef origin mixed with the goat raw mutton seized from M/s.Sree Abhilasha & M/s.Abhilasha Confernce Hall, both located at Pr.No.1-7-1070/3, RTC X Roads, Hyderabad, and directed to cancel the Trade Licence of the said Trades.

Therefore, the Trade licence in respect of M/s.Hotel Sree Abhilasha & M/s.Abhilasha Confernce Hall both situated at Pr.No.1-7-1070/3, RTC X Roads, Hyderabad. (TINNo's-1) 0110190023, 2) 0110510252 & 3)011277022) being run by Sri M.Purushotham Reddy, S/o.Late M.Jagga Reddy are hereby cancelled.

On perusal of the proceedings, it is seen that no show cause notice has been issued and no opportunity has been provided to the petitioners before cancelling the trade

license of the petitioners.

I am of the opinion that principles of natural justice do apply in respect of the cancellation of trade license. Without expressing any opinion on the said allegations and without going into the various contentions raised, the impugned proceedings are directed to be treated as a show cause notice and the petitioners are permitted to file explanation within ten days from the date of receipt of this order. The respondent is directed to consider the explanation and pass appropriate orders in accordance with law having regard to the principles of natural justice.

The Writ Petition is accordingly disposed of. No costs.

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(V.ESWARAIAH, J)

21st March 2006

Note: CC in two days

B/O

RRB